

## MAYOR MCCARTHY NOT A CANDIDATE

Much Interest Felt in Election of Secretary of Charities Board.

### COGBILL TO SETTLE ACCOUNTS

Former Treasurer of Mecklenburg Here to Arrange Matters With State.

Much interest is being manifested throughout the city, and especially around the Capitol, concerning the outcome of the first meeting of the State Board of Charities in the office of John V. Richmond at 8:30 o'clock to-morrow night. The board will organize, and will elect a secretary and assistant secretary. There are many applicants for the two places mentioned, the one carrying a salary of \$2,000 and the other paying \$1,200 per year.

The friends of Mayor McCarthy have been pressing his name for the secretaryship within the past few days, but it may be stated that he is in no sense a candidate. Whether he would accept election is a matter about which no one appears authorized to speak positively, but the retiring executive is going ahead with his daily official duties and taking no part in the boom that has been started in his favor.

Two of the active candidates are Dr. L. E. Foster, of Norfolk, former superintendent of the Eastern State Hospital, and former Sheriff Simon Solomon, of Henrico. The board will in all probability elect Dr. Paulus A. Irvine, of this city chairman. The other members are Hon. James Alston Cabell, of this city; Dr. George H. Denny, of Washington and Lee University; Hon. L. P. Stearnes, of Newport News, and Rev. Samuel C. Hatcher, of Farmville.

### Much Criticism

The administration is being criticized in some quarters for the exact form of the new organization. It has been contended that there should have been a chief officer, known as a State Commissioner of Charities, instead of a board, as is provided by the new law.

The friends of the Governor are pointing to the record of the board in its message he recommended a department organized, as suggested in the former order, and that any criticism on this score should fall upon the Legislature, and not upon the shoulders of the State Executive. As the board, as the administration is organized and put in working order, will have to be provided by Colonel Richardson for the secretary and his assistant, but he will hardly find any spare room in the Capitol building, practically all the space there is already taken up.

The members of the board receive no compensation for their services unless when ordered by the Governor to make an investigation of a State institution, and when they are paid out of the funds appropriated by the Legislature for that particular institution. The general work of visitation among the various institutions of the State is to be done by the board, and its members, who will be thus engaged during much of their time.

The meeting of the board was originally scheduled for last night, but was postponed until to-morrow night, owing to the sessions of the National Conference of Charities and Correction.

### Insurance Figures

State Insurance Commissioner Joseph Buttum has had the following figures compiled concerning the fire insurance business done in Virginia during the year 1907: Gross premiums collected in Virginia in 1907, \$3,880,512.33; losses paid, \$1,785,748.80; losses incurred, \$1,815,175.21; risks written, \$20,750,589.

### Virginia Business

Of the above amount, Virginia companies did the following: Gross premiums, \$659,561.79; losses paid, \$285,347.84; losses incurred, \$298,091.61; risks written, \$38,192,947.

### Arranging to Settle

B. E. Cogbill, president of the East Coast Lumber Company, and a former treasurer of Mecklenburg county, who has been sued by the Attorney General for \$141,116.40, is in the city for the purpose of making good the discrepancy. When notified of the suit, Cogbill promptly agreed to arrange the matter with the Auditor of Public Accounts. Cogbill was one of the largest lumbermen and shortly after the suit was filed, he closed his doors. It was known that the former treasurer was short in his accounts with the State.

### Libraries Come Back

School traveling libraries are being shipped back to the city from various sections of the State as the session ends, and they are being stored away in the Capitol for use at the next term.

Captain A. Johnson, of Scotland, the Virginia agent of the Department of Immigration, was a guest upon Commissioner Harrison yesterday.

Hon. Randolph Harrison, of Lynchburg, one of the members of the Virginia Debt Commission, and the litigation counsel for the State in the United States Supreme Court, was a caller on Attorney General Anderson yesterday.

Adjutant General Anderson has issued an order disbarring Company G, Seventeenth Regiment, at Alexandria. He has been notified that a new company is in the course of organization at Alexandria.

Orders have been issued discharging Privates J. B. Bell and B. P. Sargent, of Company G, Seventeenth Regiment, for the good of the service.

### NORTHSIDE CITIZENS TO GET ELECTRICITY

Highland Park, the newly-incorporated town adjoining and to the north of Richmond, is to have electricity for use in its homes if enough signers to the petition can be gotten by the petitioners who are starting to canvass the new city this week.

For some time several residents of Highland Park, all in the newly-incorporated town, have been urging the receivers of the Passengers and Power Company to extend the lines to their neighborhood so as to give them the advantages of electricity in their homes. Owing to the cost and expense of the line, as well as the extension of its electric lines so as to include practically every one on the Northside.

### Distinguished Visitors

Judge Love, Colonel Richardson and Hon. Vernon Ford, of Fairfax, are in the city, the guests of Captain Joseph E. Williams.

## Wise Talks by the Office Boy



I guess all men were born free and equal, but the difficulty is that some men are born equal to half a dozen others. The old man says: "It's what we think and what we do that makes us what we are." When I grow up I want to be a merchant, and I want to have my name mean something when it comes to an article. The reason so many fellows fall when they go into business is because they want to take a short cut to prosperity. Instead of going around the old way, they want to make too much profit, and they mark their goods too high. The customer finds out he paid too much or got an inferior article, and he don't go back. Our best advertisements are satisfied customers. Gee! but our spring suits are pipping. We have conservative styles for conservative men and bottle-shouldered suits for the college men and swell dressers. There is a snappy air and smart effect about them, which is entirely different from the old-fashioned, heavy clothes in Richmond. Best of all, they're moderately priced—\$10.00, \$12.50, \$15.00, \$18.00, \$20.00, \$22.50, \$25.00, \$27.50 and \$30.00. No discounts to figure! Just straight business. WILLIE.



## UNSAFE HOUSES MUST BE REMOVED

Owner Directed by Court to Repair or Tear Down Dangerous Buildings.

Mr. Johnson H. Sands was in the Police Court yesterday morning to show cause why he should not repair or tear down the building at No. 111 East Franklin Street, which has been declared by the Building Inspector to be in an unsafe and dangerous condition. The buildings from No. 2369 to 2321 East Main Street, inclusive, also owned by Mr. Sands, were likewise condemned and must be improved. C. Dominick, who rents the lower part of the Franklin Street building, was directed to move.

Mr. Sands will have ten days in which to comply with an order of the court directing him to do so, or the buildings will be razed by the Building Inspector and the old material will be sold. As much as is needed will be taken from the funds to pay for the demolition work, and the remainder will be turned over to the owner. Mr. Sands defended himself in court.

## OAKWOOD MEMORIAL.

Chief Marshal W. B. Freeman of the Oakwood Memorial Day exercises to be held next Saturday, has appointed the following personal staff: Major L. T. Christian, chief of staff; General A. Phillips, Hon. J. Taylor Ellison, Judge George L. Christian, Captain O. B. Morgan, Captain E. D. Hotchkiss, Mr. A. H. Courtney, Mr. E. A. Catlin, Captain L. E. Brown, Mr. W. S. Ellett, Mr. Lewis H. Blair, the Rev. J. Power Smith, Major A. L. Lumsden, Dr. T. E. Stratton, Colonel John Murphy, Mr. John B. Lightfoot, Jr., Mr. S. H. Bowman, the Rev. L. R. Mason, Mr. George T. Dean, Captain John B. Hutchinson, Mr. J. Singleton Walker, Captain M. Fourqurean. The staff will be mounted.

The Richmond Light Infantry Blues' Battalion, with band, the Richmond Howitzers, the camps of Confederate Veterans and the Sons of Confederate Veterans will report to the chief marshal at Twenty-fifth and Broad Streets, at 10 o'clock.

The formation will be as follows: Richmond Light Infantry Blues' Battalion, Major E. W. Bowles commanding, on Broad Street, facing north.

Right resting on Twenty-fourth Street, with band on the right; Richmond Howitzers, Captain W. M. Myers commanding, on the left; the Blues' Battalion, Major E. W. Bowles commanding, on the right; Sons of Confederate Veterans, left of the Howitzers; George E. Pickett Camp, Confederate Veterans, left of the Blues; Sons of Confederate Veterans, left of George E. Pickett Camp.

The column will move in the following order promptly at 4 o'clock: 1. Mounted band.

2. Chief marshal and staff.

3. Richmond Light Infantry Blues' Battalion.

4. Richmond Howitzers.

5. Confederate Veterans.

6. Sons of Confederate Veterans.

7. Carriages containing orators and distinguished guests.

8. The staff of the chief marshal, the Richmond Light Infantry Blues' Battalion and the Richmond Howitzers will return to the city in formation, and the exercises will be observed.

Invocation, Rev. R. A. Goodwin, rector of St. John's Episcopal Church.

Orator, Hon. L. T. W. Duke, Charleston, Va.

Benediction, Rev. J. H. Dulke, pastor Union Station Methodist Church.

Salutes fired by military.

Sounding of taps.

The staff of the chief marshal, the Richmond Light Infantry Blues' Battalion and the Richmond Howitzers will return to the city in formation, and the exercises will be observed.

That the exercises may be especially attractive, the chief marshal earnestly requests prompt and full attendance by all organizations participating in the ceremonies, and a patriotic observance of the occasion by citizens generally.

## HEAVY WORK IN FEDERAL COURT

Opinions Handed Down in Three Cases and Three Others Argued.

The United States Circuit Court of Appeals reconvened yesterday morning at 10 o'clock, with Circuit Judge Pritchard presiding, and District Judges Waddill and Boyd in attendance.

The court handed down opinions in the following cases: Phillip Collier Company, appellant, vs. Albert Thompson, appellee; appeal from the Circuit Court at Clarkburg, W. Va. Opinion by Judge Pritchard, and concurring opinion by Judge Waddill. Affirmed, with costs.

T. M. Angle, plaintiff in error, petitioner, vs. United States, defendant in error, respondent; upon petition for modification of judgment. Opinion by Judge Goff. Petition denied.

Southern Railway Company, plaintiff in error, vs. Edward D. Keeter, defendant in error; in error to the Circuit Court at Statesville, N. C. Per curiam opinion. Affirmed, with costs.

Cases Argued.

John S. Eggleston, of Richmond, Va., was admitted to practice in the court. The following cases were argued:

John A. Mills, trustee of J. R. Franklin, bankrupt, appellant, vs. Virginia Carolina Lumber Company, appellee; appeal from the District Court at Raleigh, N. C. continued from Monday. Cause further argued by G. E. Caskie, of Lynchburg, Va. for the appellee, and concluded by A. L. Holladay, of this city, for the appellant, and submitted.

Paint Creek Supply Company and G. L. Land Company, vs. Gallego Coal and Land Company, appellants; appeal from the Circuit Court at Charleston, W. Va. Cause submitted on briefs by James M. Payne, of Charleston, W. Va., for the appellants, and by W. E. Chilton, of Charleston, W. Va., for the appellees.

Schooner Eva D. Ross and E. C. Warren, master, appellants, vs. H. J. Kennedy, trading as C. H. Fowler and Company, et al., appellees; appeal from the District Court at Newbern, N. C. Cause argued by Robert M. Hughes, Jr., of Norfolk, Va., for the appellants, and by Floyd Hughes, of Norfolk, Va., for the appellees, and submitted.

In the Call for To-Day.

The following cases will be in the call to-day: New River Coal Land Company, petitioner, vs. Ruffner Brothers, creditors of Catawba Colliery Company, respondent; on petition for review of District Court at Charlotte, N. C. Cause argued by A. M. Pritchard, of Charleston, W. Va., and John S. Eggleston, of this city, for the petitioner, and by W. D. Payne, of Charleston, W. Va., for the respondent.

McLennan vs. Stone Machinery Company, appellant and petitioner, vs. Roy A. Rainey, executor of William T. Rainey, et al., appellees and respondents; on appeal and petition for review from the District Court at Baltimore, Md. to be argued by L. K. Claggett and J. J. K. Hartlett, of Baltimore, Md., for the appellants and petitioners, and by Bernard Carter and John Hinkley, of Baltimore, Md., and C. G. Galston, of New York, for the appellees and respondents.

## About Charity Workers

(Continued From Fifth Page.)

and were escorted through by Sheriff Kemp and Deputy Sheriff Garnett, who explained their system and showed how the prisoners are kept and fed. One of the ladies in the party was Mrs. L. E. Brown, of the Louisville jail, which she explained was run jointly with the jail of the county in which that city is situated. She expressed great surprise at the whole arrangement, which was given to the prisoners here in view of the fact that only 25 cents per day is allowed for each inmate. In Louisville, she said, 50 cents per day is allowed.

Another fact which caused comment on the part of the party was the small number of prisoners. The chief marshal said to show that there could not be any great amount of lawlessness in the county. Both Sheriff Kemp and Mr. Garnett were highly complimented upon the condition of the jail. After leaving the county courthouse, the party paid a visit to the City Jail.

Among the prominent churchmen who were in regular attendance on the Conference of St. Vincent de Paul, which was held at the city hall, were: Rev. D. J. McMahon, D. D., of New York; Rev. W. J. White, D. D., of Brooklyn; Rev. M. J. Fitzgerald, rector of the Mission of Immaculate Virgin, New York; Rev. John A. Lane, of Brooklyn; Rev. M. J. Fitzpatrick, of New York; Rev. W. J. Kirby, of Baltimore; Rev. Father Mulvaney, of Syracuse, N. Y.

All Virginia delegates in attendance on the National Conference of Charities and Correction are requested to meet for the opening of a State conference this evening at 7:30 o'clock at the Richmond Hotel. Adjournment will be taken in time to attend the general session of the conference at St. Paul's Church at 8 o'clock.

## FLEET IS GREETED BY GREAT THROG

(Continued From First Page.)

At 3 o'clock, the Mayor and the committee were received by the admiral. Hearty greetings were exchanged between the admiral, the Mayor and members of the reception committee.

Following the official call, Admiral Evans came ashore and was taken to the St. Francis Hotel to meet his wife and daughter.

Council Meets To-Night.

An adjourned session of the Common Council will be held at 8 o'clock to-night to consider the ordinance appropriating funds for the annexed territory.

The special joint committee on Rules and on the Electrolux question will meet at the same hour.

Cometries met on Cometeries met at 10 o'clock yesterday morning and transacted routine business. A subcommittee was appointed, on motion of Mr. Elliott, of Law Ward, to consider the question of improving Shockoe Cemetery.

Meeting for Divine Healing.

A meeting in the interest of foreign missions will be held in the West End Rescue Mission, No. 303 West Cary Street, to-day at 10:30 A. M. The meeting for divine healing will be held at 4 P. M., when prayer will be offered for the sick. The public are cordially invited to such services. At 8 P. M. there will be revival services.

Charged With Trespass.

W. L. Wright, colored, was arrested by Detective Butler in front of the Chesapeake and Ohio Railway. He was charged with trespassing on the property of the Chesapeake and Ohio Railway. He was locked up and was later bailed by Magistrate Lewis.

**Wink the Other Eye**  
If someone offers you something "Just as Good" as  
**TOASTED CORN FLAKES**  
Simply Say: "Excuse me, I know what I want. Good day".  
Kellogg's is the genuine—the original product of the world's most famous food experts. Ten years were spent in perfecting its delicious flavor. It has been on the market but a very short time. But its success was instantaneous; and with this success came the imitator. They have copied the name—used corn. That's all. The flavor of the genuine cannot be imitated. So remember the name and the package. Ask for Kellogg's Toasted Corn Flakes and get it. A large package—all grocers 10 cents.

**W.K. Kellogg**  
Look for this Signature on the Package  
Toasted Corn Flake Co., Battle Creek, Mich.

## NEW QUESTIONS OF LAW DECIDED BY COMMISSION

Clothed With Authority, This Important Body Has Had to Proceed Without Guidance in the Interpretation of the Rate Law.

Times-Dispatch Bureau, Washington, D. C., May 6.

The Interstate Commerce Commission is creating a body of law which will prove to be practically entirely new to the bar of the country. Almost every day the commission decides some question of importance to serve as a precedent in guiding future commissions in the decision of cases. The commission has to proceed without such precedent in almost every case, since it has been clothed with real power for less than two years. In some cases general legal principles can be applied, but in many the commission has had to proceed without guidance in the interpretation of the rate law.

Some of the questions decided are of much general interest. The commission has recently decided the following interesting and important questions:

Hours of Service Law.

The inquiry whether the hours of service law applies to electric street car lines which are interstate carriers, held: That it applies to all railroads subject to the provisions of the act to regulate commerce, as amended, including street railroads when engaged in interstate commerce.

Reshipping From Primary Markets.

May a carrier lawfully cancel its local, re-consigning, proportional, and other rates, on outbound shipments of grain from a primary market like Kansas City, where no grain originates, upon which the local rate would be applicable, and substitute for them a reshipping rate applicable on all outbound grain?

Responding to the inquiry, the commission approved the suggestion, but declines in advance to express approval of any re-shipping rate when it is less than the published rate from an intermediate point.

Declaring False Valuation.

Upon an inquiry from a banking house, whether it may lawfully declare a value of \$5,000 upon a package of negotiable bonds of the market value of \$10,000 and pay the express charges on the basis of the declared value, upon the understanding that in case of the loss of the bonds, the express company will be responsible only for the amount so declared, it was held that a shipper falsely declaring the value of a package delivered to an express company for transportation violates section 10 of the act.

Must Send Through or Transfer En Route.

Where connecting lines have united in publishing a joint through rate between two points, it is the sense of the commission that it is the duty of the carriers in the route to provide the car and permit it to go through to destination or to transfer the property en route to another car at their own expense.

No Refund When Stopover Exceeded.

A passenger, while availing himself of a stopover privilege at a certain point in his journey, was subpoenaed as a witness in a proceeding in a civil court, and obeying the process, was not able to proceed on his journey within the time limit of the stopover. As a result he was compelled to pay an additional fare from that point to destination. Held: That a refund could not lawfully be made.

Charges Because of Injury to Passenger.

The Pullman car in which a passenger was traveling was derailed and went over an embankment, resulting in an injury to a passenger, who, in consequence, was detained for some time. His trunk was taken on to destination and storage charges accrued on it until claimed by him. Held: That

the storage charges might lawfully be refunded.

Use of Pullmans as Stopover.

A carrier desiring to make excursion rates to a point where a convention is to be held wishes to accord to members of certain clubs the privilege of occupying the sleeping cars while the convention is in session; held: That the carrier may lawfully arrange an excursion rate to such point and return, the rate to include sleeping car accommodations to and from that point, with the privilege of occupying the car at that point during the convention; but that the commission does not understand that the carrier may limit the privileges to the members of any particular club.

Transit Privilege After Expiration of Limit.

A consignor of sheep, which were being grazed in a tract, was unable, because of a severe snow-storm, to get the sheep to the station before the published time limit. Upon inquiry of the carrier it was held that it cannot lawfully take the sheep forward on the rates which would have been applicable under the tariff had the sheep been shipped within the time limit.

Rate Eastbound Can't Be Applied Westbound.

A mixed carload of meat eastbound was diverted at the Ohio River on account of a flood, and by order of the shipper, was taken on a roundabout route to a point east of its destination and thence hauled westbound to destination. The mixed carload rate applied on eastbound shipments, but the tariffs provided no mixed carload rate on westbound shipments. Held: That such intervention of the carrier in the movement would not justify the application of a mixed carload rate on the westbound movement to destination.

Demurrage on Interstate Shipments.

Questions of demurrage and car service on interstate shipments are within the jurisdiction of the Interstate Commerce Commission, which does not concern the commission in the matter of demurrage when pertaining to intrastate shipments, are within the control of State commissions.

Cannot Offset Claim Against Carrier.

A shipper having a money demand against an interstate carrier sought to offset the amount of a freight bill which he owed the carrier upon shipment of merchandise. May this lawfully be done? Held: That the two transactions have no relation to the other, and that such a deduction from the lawful charges on the shipment could not be made.

Reparation Orders Extend to All Like Cases.

No carrier may pay any refund from its published tariff charges save with the specific authority of the commission. When an informal or formal reparation order has been made by the commission, the principle upon which it is based extends to all like shipments, but no refunds may be made by the carrier upon such like shipments except upon specific authority from the commission therefor.

Effect of Not Cancelling Old Rate.

The published tariffs of an interstate carrier named a rate of 20 cents on a given commodity between specified points. On October 1, 1907, under a proper power of attorney, a joint agent of all carriers serving those two points published a rate of 22 cents. He took to cancel the 20-cent rate and it was not formally canceled by the carrier that published it until January 14, 1908. Held: That because of the failure of the joint agent of the carrier that published it to cancel that rate in the manner provided by section 6 of the act, and rule 8 of tariff circular 14, the 20-cent rate remained the lawful

rate of that carrier until formally canceled on January 14, 1908.

Tariff Takes Effect on Sunday.

Under a tariff schedule regularly filed, showing a change in published rates, it happened that the thirty days notice required by law expired on Sunday. Held: That the tariff is lawful.

SUNDRY CIVIL BILL

Bennett Asking for Increase, Tells How He Reluctantly Naturalized.

WASHINGTON, D. C., May 6.—During the consideration of the sundry civil appropriation bill in the House to-day, there was a good deal of debate in connection with an amendment by Mr. Bennett, of New York, increasing from \$150,000 to \$250,000 the appropriation for representation by attorneys of the United States in naturalization proceedings.

Mr. Bennett declared that the old law was very lax, and that he personally had had numbers of men naturalized in one day.

"I was a politician," he said, "and I know how easy it was to get a man naturalized."

Mr. Bennett responded that the law had been reformed, but that he was "just as bad as the old law."

Mr. Smith, of Iowa, insisted that the law should be rigidly enforced and opposed the proposed increase. The amendment was also opposed by Mr. Sherley, of Kentucky, who did not believe in paying fees to unnecessary employees of the government. The amendment was passed without a vote.

RECEIVER IS NAMED FOR THE SOUTHERN MATCH CO.

(Special to The Times-Dispatch.)

NEW YORK, May 6.—An involuntary petition in bankruptcy was filed to-day in the United States District Court against the Southern Match Company, a corporation organized in Kentucky, with a factory at Bond, N. C.

The petitioning creditors with claims amounting to \$5,550. The corporation is capitalized in this State at \$100,000. Liabilities are placed at \$100,000, and the assets at \$20,000. Judge Hough appointed Josiah Cantor receiver.

Attempt at Burglary.

Thieves early last night made an attempt to break open and rob a mail pressing and cleaning establishment, belonging to a colored man, at No. 292 Governor Street, and had been seized with a piece of lead pipe, which was found by the police. The inner lock had not been touched, and it is believed that the miscreants ever and it is believed that the miscreants were the officers.

Robbed Henric Man.

Henry Cox, colored, was arrested last night by Policeman Tucker on the charge of being a vagrant, but particularly for the theft of a quantity of clothing. The Richmond police were informed, and Officer Tucker soon landed the man.

Licensed to Wed.

Marriage licenses were issued yesterday by Clerk Walter Christian to the following parties: Erick Northaby and Lucy Shelton; Hunter R. McCallie and Helen C. Thayer; Edward A. Rice and Minnie G. Bransford; B. H. Rawlinson and Willie E. Dickey.

Had Too Much Whiskey.

Believing that the whiskey he had in his possession was stolen property, Policeman Werner and Toots last night arrested Alice Tyler, colored, who she was, however, only with being a suspicious character.

Here for Operation.

Mrs. N. M. Morris, of Keokuk, Iowa, county, is a patient at St. Luke's Hospital, where she has been operated on. She was reported last night to be doing very well. She was visited yesterday by her mother, Mrs. Malinda L. Lee, postmistress at Keokuk.

General Phillips Ill.

General A. L. Phillips, who recovered recently from a severe attack of constipation, is at home, confined to his home by illness. His condition is said to be serious.

Beat His Horse.

William Young, colored, charged with cruelly beating a horse, was fined \$10 in the Police Court yesterday morning.

May Meet Here Next.

Special Agent L. L. Scherer, of the Chesapeake and Ohio Railway, and first vice-president of the National Association of Special Agents and Police will attend the convention of the association to be held in Lexington on May 12-14. Mr. Scherer will endeavor to have the next convention held in Richmond. The attendance is always

large, the organization being strong and progressive.

Compromise in Damage Suit.

ALEXANDRIA, VA., May 6.—A compromise for \$1,500 was announced in the Circuit Court this morning in the case of Hainsborough against the Southern Railway Company. Mary C. Hainsborough will receive the above amount for the death of her husband, who was killed in 1904 while driving across the defendant railway company's tracks. The case has been tried twice before, and on one occasion the plaintiff was given a verdict of \$9,000.

Interclass Champions